

Decision No. 23541

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
SOUTHERN CALIFORNIA EDISON COMPANY LTD.
and the CITY OF LONG BEACH, and BOARD
OF HARBOR COMMISSIONERS OF THE CITY OF
LONG BEACH, for an Order of the Railroad
Commission of the State of California,
authorizing SOUTHERN CALIFORNIA EDISON
COMPANY LTD. to execute and deliver
agreement and deed of easement.

ORIGINAL

Application No. 23541

BY THE COMMISSION:

O P I N I O N

Southern California Edison Company Ltd. asks permission to execute the agreement filed in this proceeding as Exhibit B and the attached exhibits to which it is a party.

Southern California Edison Company Ltd. owns, operates and maintains steam electric generating plants on certain real property situated adjacent to the entrance channel to the Harbor of the City of Long Beach.

There is now pending in the United States District Court for the Southern District of California, Central Division, an action entitled "City of Long Beach et al., v. Union Pacific Railroad Company, Los Angeles & Salt Lake Railroad Company, Southern California Edison Company Ltd. et al.", being Case "No. 340-RJ-Civil" in the files of said Court. It appears that the execution of the several agreements contained in Exhibit B, will determine the claims of the several parties in Case "No. 340-RJ-Civil."

By one of the agreements (Exhibit F) Southern California Edison Company Ltd. will convey to the City of Long Beach an easement for a free public waterway only over, upon and across the parcels of

land described therein. This agreement obligates the City of Long Beach or the Board of Harbor Commissioners of the City of Long Beach to relocate the company's structures situated on said parcels of land and used in the handling of cooling water. Southern California Edison Company Ltd. represents that under the terms of the agreement and the easement, the rendering of public service by it will not be interfered with.

O R D E R

The Commission having considered the request of Southern California Edison Company Ltd. and it being of the opinion that this is not a matter on which a hearing is necessary and that this application should be granted, subject to the provisions of this order, now, therefore,

IT IS HEREBY ORDERED that Southern California Edison Company Ltd. be, and it is hereby, authorized to execute the several agreements contained in Exhibit B filed in this proceeding and thereby transfer to the City of Long Beach the properties and rights described in said agreements.

IT IS HEREBY FURTHER ORDERED that within thirty (30) days after the execution of each of said agreements, Southern California Edison Company Ltd. shall file two certified copies of each of said agreements with the Railroad Commission.

IT IS HEREBY FURTHER ORDERED that within ninety (90) days after the date hereof, Southern California Edison Company Ltd. shall file with the Railroad Commission a statement showing its actual or approximate investment in the properties or rights which it transfers

to the City of Long Beach and in presently existing structures which the City of Long Beach has agreed to replace and relocate.

DATED at San Francisco, California, this 25th day of June, 1940.

Ray L. Riley
James R. Stewart
Ralph W. ...
H. ...

Commissioners